BANGOR DAILY WHIG AND COURIER.

BY WHEELER & LYNDE. MONDAY MORNING, FEBRUARY 24, 1859. VOLUME XX.....NUMBER 208.

Whig and Courier.

Reported for the Daily Whig and Courier.

TRIAL OF WILLIAM CROSBY,

for the Homicide of Charles H. Lowell.

SUPREME Judicial Court—Criminal Term.

HARTWAY, J. presiding.

February 23, 1859.

[and v. William Crosby. The announcement that this case would be taken up this morning occasioned a large attendance in Court, a number of the prisoner, with his sister and several other female friends, sitting within the bar. The parents of young Lowell also sat within the bar, near the prosecuting officer.

Judge Hathaway stated, that at the request of his associate, and not being acquainted with the facts in the case, he had consented to sit in his stead.

S. Crosby, Esq., County Attorney, appeared for the State. Asa Woodman, Esq., and Hon. O. P. Keith, for the prisoner.

The jury was then empannelled, as follows:

Joseph Graves, Orono, Foreman.

George A. Abbott, Dexter.

Jeremiah Chase, Corinth.

John D. Lowell, Corinth.

Wm. H. Gary, Charleston.

Ephraim Colebath, Exeter.

Chandler Cram, Garland.

Hillings Clapp, Enfield.

Wm. Chapman, Newburg.

Joshua Goulds, Dixmont.

James Gray, Plymouth.

Wm. L. Frecse, Argyle.

The case was opened by the County Attorney, who stated that the prisoner was indicted for manslaughter.

The indictment, brief as it is, contains nearly all the facts of this tragedy in real life.—The prosecution counted upon doing, and could only show a few moments of time. The witnesses to the act and the result were numerous. The two lads were schoolmates, and as witnesses before this melancholy occurrence were dismissed from school. The respective were his half-brother, and the sister of the deceased. His schoolmates had testified on that account. It was in the midst of this sport that the respondent committed the act.

The County Attorney then read from Archbold's Criminal Law, defining manslaughter to be unlawfully killing a fellow creature, without malice aforethought. The Court would give the law, but he would state a few principles showing the distinction between murder and manslaughter. This law presumes malice and intention from the acts, but it would appear that the respondent, not only exposed himself by intending the act, but said he would do it.

The defence would probably contend that it was a case of justifiable homicide,—but no one can think of danger to limb or life as a justification for the crime of homicide.

The following witnesses were then called and sworn for the Government, viz.: A. G. Allen, Wm. D. McLaughlin, A. T. C. Dodge, D. W. Combs, Wm. P. Wingate, Cyrus S. True, Dr. S. B. Morrison, Dr. E. M. Field, Geo. G. Thompson, Willis O. Perry, Franklin Hall.

Dr. Elisha M. Field—Was in Bangor the 21st day of Sept., 1857, that I was to see young Lowell, at Dodge's Hotel; he was not dead, but beyond the power of speech when I saw him; in about five minutes a pulse was not perceptible; after his death as Coroner, I caused an Jury to be empannelled to inquire into the matter, which was done. I examined the wound externally; it is on the left side, between the 5th and 6th ribs, about two and a half inches from the middle line of the body; the wound itself was three-fourths of an inch in length; it was probed in my presence and found to be two inches horizontally; by tilting the probe outward, two inches further; the boy was in Dodge's Hotel at the time; he died while I was there; the wound which he received caused death; it was a good vessel, immediately connected with the heart, must have been severed; I have the knife with which the wound was inflicted, and it was produced and shown to the Jury.)

Cross Examined—About 12 o'clock in the day; the boy was in the room when I first went; he died in about ten minutes; there were several persons in the room; it required force to inflict the wounds; don't think a chance for such a wound are very great; the distance between the ribs and vitals is naturally a third to a quarter of an inch; don't remember how Lowell was dressed; noticed the knife passed through the vest of the deceased; was in the room at the time he passed between the two ribs, the border of the 5th, but touched neither; the thickness of the muscle and flesh might have been a quarter of an inch where the knife entered.

A. G. Allen—Am Street Commissioner of the city; remember the day when Lowell was killed; was on Harlow Street in this city at the time; the School House for Boys is on Prospect street, which runs nearly North and South; it comes into Harlow Street on the south side at nearly right angles; the High School House on Prospect Street is from 10 to 15 rods from Harlow street; Dodge's Hotel is on the west side of Harlow street; from 6 to 10 rods south of where Prospect street comes into Harlow street; I saw the boys at the time I was struck; I was on Harlow street, on the south of Dodge's Hotel, at the time; riding in my carriage, a few minutes past 12 o'clock; as I was riding along, I saw the High School boys coming down; young Lowell and Crosby by the collar, jumping him across the street, as I came; appeared to be trying to put him through; he let go without getting him down; stepped back a little; immediately Lowell stepped up to him again; struck him on the shoulder; stepped up; very quickly took him by collar; laid his hand on my hand; then Crosby struck him with his right hand; Lowell drew back; picked up a large stone; threw it at Crosby; hit him on the back; immediately Crosby turned round, and threw it, but did not hit Lowell; I jumped from my sleigh and ran between them; Lowell then struck Crosby on the left side of the head; Crosby struck Lowell with his right hand; Lowell struck Crosby with his right hand; Crosby struck Lowell

[Continued, from 4th page]

lected and collated through a long and studious and honorable life,—at once the venerable Nestor of our bar and the Ajax in the fight when "some rocks must weight" is to be thrown,—Stone, all these show that we are engaged in the investigation of no common occurrence.

What is it that weighs so seriously upon our minds? It is, that on the 21st day of Sept. 1857, two [second boys] came bounding down one of our streets, from school, and as the shadow on the dial had perceptibly passed, one of them had been plunged, to eternity by the hand of the other. Two winters have frosted the locks of a motherless mother and a broken-hearted father. Is it not something to arrest our minds? Have these ably gentlemen succeeded in relieving our feelings? It was strange that no public notice of it had before been taken for final adjudication, til the present time. If this were a mere struggle for forensic display—a merely mental warfare for our currency—I should be in my seat; I should not enter such a contest.

What is the law applicable to this case? I am called upon to make sure of the ground upon which I tread, in considering the appeal of the learned and eloquent counsel who have preceded me. In the first place, they invoked the christian leniency of the law, and in close connection at as the Greek-letter dogmas of antiquity, go dig back to the times of the crusades for examples. They went to the savage tribes, and took the maxims and customs of some hired Asiatics to justify our American members.

This defence is brought to be carried here by trampling down our New England laws, and invoking those of Southern Greece and Rome. They have been exercised to suppress the real law of the case. They have cited the case of Selfridge and recited upon it as analogous to this. That was a case occurring under great political excitement, when the political feelings of an outraged community made a law—the principles of which have been strongly denounced by able legal authorities. He would read from Wheaton's American Law, on the doctrine of the Selfridge case. The language is here, that this was the first case where the law of self-defence was confirmed with the law of honor. The true law of self-defence is, that the taking of human life could only be justified where it was apprehension of great bodily harm. Such cases as the above are infinitely removed from the present.

What are some of the leading events in this case? A difficulty had occurred among school boys—nothing but a boyish difficulty—just such as has always been since the institution of schools, and which always will be, so long as boys will be boys. To constitute this a grand burrage, counsel have set the greatest part of a whole days. When my distinguished friend came to address you, and you not have it otherwise in your mind that this was no more than a boyish squabble. A great outrage justifying extreme measures in self-defence! There is something in self-defence truly heroic, said if the quivering stood here under circumstances justifying a resort to it, it would be another thing; if it were the mere sinking of a horse, the rolling of inanimate machinery that actuated him, there would have been something to relieve the case; but a human life!

A strong point has been made on the weight and force of the blow opposed to this affray to young Crosby. Stevens and I—well are represented as having caught Crosby, and cut his throat in the school, hat the threw up Rosaria and broke away. Not much—no was needed, nor it seems he had suffic ent. Again, it is represented that young Crosby was fleeing as a deer from the trowel of boys—but how is it? He passed slowly down from school, of such a bewalk with Fuller.

Our murdered brother, who has slept two winters, was not entirely blameless—nor were his associates. How was the affray? Lowell came up to Crosby, caught him, failed to get him down, but did not succeed, with all the advantage of represented superior strength and age. Does this show such a disparity of strength as to justify plunging a dagger to the heart? Not at all. True, wrongs are not to be washed out in human blood. Had the case been carried before Judge Preble, would His Honor have issued a warrant against the boys in pilated in after going to cut off his hand? No—he would have referred the matter to parents and teachers. Take another view—how would it have happened, had the case been carried before the boy's teacher, and Lowell called upon to explain. He would say—"I a true we have arrested Crosby about his hair. I did not intend to cut off when I came on y from [illegible] marbled lips, showing his teeth with some excess, gentlemen! I know in my inmost heart I would like to have you, as I be received—and [illegible] his cold, sepulchral brow—his pale look [illegible] and determined.

So the talk of the nature of the blow, that it was slight. We have shown the jacket pierced, a chick on—Mrs Wingate says, it was a pretty smart blow—that it was a design to strike, also what was the meaning of his remark, that he wished just to slick him.

It has been argued that it was an accident, for what purpose, I can hardly imagine. The general implication is on the ground of self-defence—there is nothing to found this view of the case upon—it has never been pretended, but counsel has argued it to you some. It may here go to show this point them put. It is for the defence to make it out.

At other, and the last point, urged without precedent, is that Lowell was not in the possession of his faculties. Whatever was the cause of his misery, I have given way to passion to allow that he was demented in The Court will give a fair case, and this principle, if one receives a blow upon the head, so that his mind is affected, and in his frenzy, he kills, is manslaughter, away blameless.

But gentlemen, no one wants a sacrifice or victim. The State does not hunger and thirst after it—but we must do our duty though we tread on bleeding hearts. To illustrate this case, was that of a boy with another skin, and curled and twisted hair—he was passing home about this same minute, and some year, also a school boy, and he turned upon his companions, and as the retreating Earth upon turned upon their pursuers, and threw their arms, this boy turned, raised a stone, threw it and hit a boy upon the temple. He was tried, convicted, and is now in State Prison at Thomaston for murder in the 2d degree.

I do not gone, for design, to go in detail over the testimony. The testimony of Mr. Wing he corroborated and confirmed as it is, and made fuller, as it is, by other witnesses in the house, and made so necessarily, because it was busy around this boy, caressing his wounds, &c., all these give you the whole history o the matter.

He formed his purpose, and went to it deliberately, showing whatness be in this of human nature since the world began, that when the purpose is formed, man never treads more firmly than upon the sands of the opening tomb. There was no mental aberration of the moment; no cause sufficient to produce it, and all circumstances before and after the act negative it.

Cases have been cited on the other side where it has been taken for revenge for the dishonor of wife or sister. The exact letter of the law, would it not, perhaps, justify this, but the better rule up and cries when I But, are the auburn locks of a boy to be compared to these? Oh, no! We must look at this case with common sense, and apply it to a rational judgment.

All you have to do is mere duty. We are not to be blamed for this. I feel the pressure of sympathy, but, I and you have a public duty to perform. A mother and sister want to know why that darling son and brother is not with them—a broken-hearted father wants to know. If this boy can be struck down at noon-day, and no notice be taken of it. Society wants to know whether it has rights. It has conferred great blessings upon us, and we are bound to be true to it. Let Christian Justice be satisfied. We ask nothing more. Let the verdict be with sorrow and tears, if need be, but let it be according the dictates of humanity and of duty.

CHARGE OF JUDGE APPLETON.

Gentlemen of the Jury: On the 21st day of Sept., 1857, in a personal rencontre, between William Crosby, the dec'd., and Charles Henry Lowell, the latter received a wound, inflicted on him by a knife in the hands of the dec'd., which caused his death. I speak to you now about facts not controversial. For causing that death, the Grand Jury, at this term, found an indictment against the prisoner for manslaughter. Upon that he is on his trial. You have heard the testimony and the arguments, and it now becomes my duty to give you the law upon which you are to dispose of the case. It is your province, alone, gentlemen, to decide, and I emphasize that word, because it has been stated by counsel in this trial, that juries are judges of law as well as of facts, in criminal cases—and of necessity this must be so—because if juries do not, no other tribunal can. If juries do not say, then there must be an end of it. Will you, take the law from counsel, or do you rely in your consciences and your knowledge of law as from the law as it shall be given you by the Court. Because a jury has the power to decide the law, it has not the right. I shall give you the law—if I give it wrong, the prisoner will have the benefit of taking exception.

I say to you, as I have often said in trials of criminal cases, that there is nothing in which the benevolence of our government is more strongly shown than in the administration of criminal law. In civil cases you have parties litigant, contesting vigorously to see which shall prevail—but in criminal cases there is but one party, the one charged with the crime. The Gov't don't want the party convicted; no person has the interest to convict a prisoner; on the contrary, the Court acts for the prisoner so far as to provide him counsel if he is poor, and his trial is a solemn inquisition, to say whether he is guilty or not. He is covered all over with protection; there are presumptions in his favor all along. In a tribunal of justice the rich and poor are equal, as in our last resting place. So then, when, on trial, where all are to protect him, the jury must proceed with firmness to say he is guilty, if he is so proved.

This deed is charged with the crime of manslaughter. What is it? The killing of a human being, without malice expressed or implied; in a quarrel or sudden provocation. As, if two individuals get into a fight and one is killed, the slayer is guilty of manslaughter, because, although he did not intend to slay, still he was engaged in an unlawful act, and therefore guilty. What is the charge? How is the offence in this case? Death caused in the conflict between the two parties. Were they both engaged in the fight? That is the element of manslaughter, else one engaged may not be in the wrong; as when one should wring the neck of another, and he should be killed; he would not be guilty of murder, but of manslaughter. The parties in this case were together, and how? The charge is manslaughter. The main ground of defence is self-defence. The distinction is this: Where we fight and one is killed, it is manslaughter. If one attacks, the other retreats and kills, it is excusable homicide, provided he was in danger of life or great bodily harm. It is not necessary, in fact, that he should be in great bodily harm, but simply that he be attacked in such manner as to raise the fear of great bodily harm. I have given you the rules of law, and trust have made myself understood. In manslaughter, which is a charge here, it is killing in a sudden affray, by reason of the provocation offered. Now, if the parties were not engaged in a quarrel, and the slayer retreated, as far as he should before he struck the fatal blow he would not be guilty, provided he feared his life or great bodily harm; but if he exceeded this point, when he struck the blow, then he was deemed guilty of manslaughter.

It becomes necessary, rather from the arguments that the testimony, what I should call your attention to the testimony. I understand it not to be controverted in this case, that the death of young Lowell was caused by the blow; that the boys were both attending school together; that they were both of good character, as free as boys generally are from bad habits, perhaps more so, than the boys and picked upon the Crosby boy, by reason of his having long, curly hair, and that, at the time of the adjournment of the school there was an attempt to cut off his hair, or talk about it, and just immediately after school they came down by Dodge's hotel, where the tragedy was completed. I shall not for that I have done my duty, will not call to your attention to the testimony, and the script is an important case to the community, and should be tried with great care.

I shall call your attention to what took place at the school house. His honor here recapitulated the testimony of Perry, Thompson, Tsar, White and Daggett, the gov't witnesses of the affray, and in the deduced the testimony of Ful or [illegible] Herlow.] With regard to the testimony of Wales, introduced for the defence, there were three witnesses introduced by the gov't to show that he was not worthy of belief in the community in which he lived. Of course his testimony, and it can be effected by such a reputation, but he is competent in this case, and you are to judge of the credibility, especially where he is corroborated by other witnesses, and in cases where he has no interest to testify falsely. His Honor commented on his testimony. Noted where it is corroborated by White; he says Lowell was holding Crosby when he struck the fatal blow; there seems to be a coincidence in the two as to the transactions; when the fatal blow was struck, although told in different language. It is said Welsh gave a different account before the Coroner's inquest. I will read this; you will judge whether or not it is substantially the same, and Mr Shaw, who was one of the Coroner's jury, tells you how the testimony was taken there; that it was not full.

It is contended on the one side that this was a mere school boy squabble, on the other hand that a gross outrage was perpetrated. It can then say that, there was nothing done by Crosby up to the striking of the fatal blow, he was not in the position of committing man-slaughter, if two in an affray, for he was trying to get away, and was not engaged in a quarrel. Then the question comes as to the justification of self defence. Was he in great danger of his life, or of great bodily harm, or attacked in such a way as to have reason to believe, then, he would have reason to fear it. I am here to lay down the laws you are to judge. I do not say he had justification; I do not say he had not; I should be trespassing upon your province if I did. It is for you

A person cannot be convicted of murder up to the age of seven. Between seven and fourteen the law presumes a person to be not capable of crime; but they may be proved to be capable very [illegible] between these ages, as by showing intelligence, knowledge, &c. This boy was fourteen years and a few months old; Lowell a little older. Counsel argues that he was smaller than Lowell, and his father says about the size of his cousin, who was exhibited. It is said he is a thoughtful, studious, intelligent boy, and he is to be tried by the same rule as any man. Never is cool, human laws do not work like machinery. If a clock is wound up, it will go to the end of the week with mathematical accuracy. You can not apply such a fixed rule to every case that comes before a jury. You must apply reason, for the very object of jury trials is to try every particular case by itself, and apply reason, and such principles of law as apply. So you perceive a jury would try the cause of insanity much with very different rule. The oath is upon you to render your verdict true.

It has been argued, that this result might have happened by accident. If so, there is of course no guilt. I shall not stop to argue this.

There is a sort of justifiable silence, as to burglary, &c., which I will not stop to notice, as such case do not apply. It is said this young man made declarations after the affray, which go to show a fixed determination to commit the deed. It does not appear that he procured the knife for the purpose, for it first appears on Harlow's floor. It is said his concert on makes against him. I don't know as I could add to what counsel said upon that. You will remember that the crowd were excited; his was excited; and I will give you the caution that the declarations of parties, made out of Court, detailed by parties subsequently, should be taken with great caution. It is the most unreliable kind of testimony.

It is said, in argument, that the [illegible] of the community, of our school, require that this act should not go unpunished. The use of the deadly weapon is all that the government complains of. The ground, on one hand, is that he was assaulted by a superior force, and had the right of self defence; on the other hand, that it was a mere school boy squabble, that did no justify a resort to extremes. But I cannot put you in a judging of this. I should trespass upon your province if so do myself. Our schools should be carefully guarded and protected. The government of schools should not be touched upon. No considerations of expediency, is it in particular, however, should make you give a verdict which the evidence shall not warrant.

I should state a common principle of law, that the accused comes before you with the presumption of innocence.

Again, as to character. The character of the two boys have been put in and commented on by counsel. The County Attorney read from the opinion of the learned Chief Justice of Massachusetts to the effect that good character should usually avail in trial cases—but if there is ever a time when good character should avail one, it is certainly in this time of greatest peril. You will remember the oath you stands before you, the same as a juror, with equal rights and no prejudices.

Gentlemen, in disposing of this case, I do not know as I can state any further law—I have given it to you very fully. I adjure you to take the case and judge it faithfully, as I know you will.

Counsel for defence requested the Court to give the following in that it is the time the fatal blow was given, the prisoner was deprived of reason to the extent of the accused that he could not be found guilty. The Court gave the following, adding, that this was a question for them to determine:

Also, that the prisoner has a legal right to the possession of the knife, and that no presumption arose against him from possession—that he had a right to use it, reasonably, in self defence—which was a question given, and the question is, said the Court, whether he should use it, or not, on such an occasion.

Further instructions were requested, but the Court declined giving more than he had already done.

The charge of the Judge was nearly two hours in length, and is considered a very able and impartial one.

The jury took to consider at half-past four o'clock. They stated that they would not adjourn, but go to his house and be in attendance when he should be notified. At the Jury had agreed.

Nearly all the large crowd remained till six o'clock, awaiting the verdict in intense anxiety. When the cry from the Jurors' room rebilled that they had agreed, it passed like a flash through the outer room. His Honor was sent for and soon arrived. The Jury returned from their room with a solemn air. Anxiety was depicted on the countenances of all. The Clerk was directed to take the verdict. The inquiry was put to the Foreman whether they had agreed, and the reply was, "We have." The prisoner was called upon to stand up. He rose with much tremulousness and seriousness. "What say you, Mr. Foreman, is William Crosby guilty or not guilty?" Silence prevailed, as the words NOT GUILTY rung through the house. An outburst of applause followed. The Sheriff called order. The Court rebuked this expression of feeling as highly improper. Counsel moved for the discharge of the prisoner, which was done, and the Court adjourned to Monday morning.

The argument of Gov. Kent, in the case, occupied nearly seven hours and was one of the greatest efforts of his life. That of Mr. Crosby for the government, was characterized by great clearness force, and beauty of expression. It was considered one of the ablest arguments ever made at this bar. Of course our reporter, (Frederick E. Shaw, Esq.) could not in a necessarily rapid sketch, present all the strength and beauty of those arguments—but he has given a most able abstract, including the leading points and much of the elaboration. His report of the trial throughout has been in fact a very able and faithful one, and it is due to him that we should acknowledge it. We were unable to be in court through the trial, but have only to say that Mr Shaw's better report than we could have made ourself.

The most terrific specimen of a hoax that we ever heard of, is recited to us in the following verse which we lately found in a western journal:

There was a jolly woodman
Was standing by a tree,
When he spied an awful big bear
A coming right at he!
The bear was ampragious,
The foam was on his lip,
And full a yard of prairie
He cleared at every skip.

A great rain storm occurred on the Ohio, a few days since, causing that river to rise very rapidly. At Cincinnati the water rose nearly 35 feet in two days—and attained within two or three feet of the point reached by the great freshet of 1853. The lower parts of the city were flooded.

CUSTOMS OF THE FATHERS.—Mr. Jefferson never franked letters for any members of his family. Correspondents frequently enclosed to those directed to him, letters for some of his family, but Mr. Jefferson invariably gave notice of the fact to the postmaster of the place, and had the postage of all such letters charged to him.

Printers can do anything that ever was done and some things besides. One of them, belonging to the Fond du Lac Press of the, recently skated from Fond du Lac across Lake Winnebago, and up the Fox River to Berlin, a distance of seventy-two miles, performing the feat in just *five hours and fifteen minutes*, or at the rate of fourteen miles per hour.

A horse recently died in Binghamton, New York, aged 37 years.

Bangor Daily Whig & Courier.

Wheeler & Lynde, Proprietors.

MONDAY, FEB. 28, 1859.

THE CIRCULATION OF THE WHIG AND COURIER IS NEARLY DOUBLE That of any other Daily Paper in Maine, East of Portland.

Daily established 1834—Weekly 1846.

Terms of Advertising.

For one square, amount of 16 lines this type 3 times daily, inside.....$1,25
For each week's continuance.....50
For half square 3 times.....75
For each week's continuance.....25
For one square in weekly, 3 times.....1,25
For each week's continuance.....25

Special Notices.

$5 per square for first week—$1 per week for continuance.

One reason, why the cost of doing work or furnishing supplies for the United States government runs up so enormously is that the administration takes a leap out from every contract, to furnish the means of carrying elections and sustaining the democratic party. From five to twenty-five per cent on these contracts is demanded for this purpose. The evidence recent taken before the Printing Investigation Committee, shows the extent to which this practice has been carried—amounting in fact, to a regular system of pillage for the benefit of the party. The witnesses testify that they found they could not get contracts except by submitting to these exactions. In some cases they admitted that they added twenty per cent to their bids to cover the cost of these corrupt fees.

Thus we see that the extravagant prices paid for work and supplies at Washington are due to the service of the various departments in their operations through the country, are not altogether to enrich the contractors—but constitute a easy method of getting money from the public treasury to pay the electioneering expenses of the democratic party.

The Spanish naval force at Havana is reported to consist of one ship-of-the-line carrying 84 guns—six frigates, seven brigs, three schooners and two steamers of various capacity. The armament of the fleet amounts to over 400 heavy guns.

GREAT BORA GUN.—A kettle capable of containing 200 clambeads is about being cast at a foundry in Hartford, Conn.

LOCAL AND MAINE NEWS.

THE TRIAL COMMENCE.—Copies of the Whig of to-day, containing the report of the testimony, the arguments, and Judge Haliaway's charge, in the case of [illegible] may be obtained at this office or at C. R. Fuller's Bookstore.

JOB WORK.—We are prepared to execute job printing of all kinds, in the neatest style and at *as cheap rates* as at any office in the State. Our friends who are in want of Cards, Billheads, Shop Bills, Blanks, Circulars or any thing of the kind, will do well to bear us in mind.

FIRE.—About three o'clock, Sunday morning, fire was discovered in the house owned and occupied by Capt. David Pierce, on Main street, and the building was entirely destroyed, together with a stable, and a part of the furniture in the house. The fire caught from a defect in the chimney. A building adjoining, owned by Mr. Emerson, was saved with great difficulty, somewhat injured. Capt. Pierce was insured, and his wife's household goods were in her children. The building and furniture were insured for $3000. The loss about $4000. The fire companies were promptly on the spot, notwithstanding the snow, and after the fire was subdued, were furnished with refreshments by Messrs. Z. P. Rice, Thomas J. Stewart, Geo. W. Savage and John E. Reynolds.

EXHIBITION AND DANCE AT OLDTOWN.—The Oldtown Dirigo Club will give an entertainment at Codman Hall, Oldtown, on Wednesday evening of this week. A portion of the evening will be spent in erecting the popular comedy of the Rough Diamond, which was given by them a few weeks since with marked success. Among the actors are Hon. Newell Blake, O. T. Homer, & W. Hoskins, Miss Abba Hunt and Miss J. Heath, all of whom sustained their parts admirable at the former exhibition. After this comes from the Bedford Papers" &c., then the Hall will be cleared and the dancing will have the privilege of dancing a few hours. The Club were intending to repeat the exhibition some two weeks since but were unable to procure a person to sustain the part of Cousin Joe," the country fool, but we understand that they have been fortunate in securing the services of Mr. Wm. Rounds of this city, who exhibits a remarkable talent in that direction. A good time may be expected.

COSMOPOLITAN ART ASSOCIATION.—Mr. D. M. Howard, Secretary of this Association, has received information from the Actuary that the Village Blanks with will be placed in the hands of subscribers as rapidly as impressions can be taken from the plate, compatible with their perfection. They could be hurried through in a few weeks at their rooms of their quality, which the Association is not willing to do, and which would not be satisfactory to the subscribers. The impressions will be furnished in the order of subscription, and by May 20th the last on the list will be reached. This partial delay is of no consequence in comparison with the importance of a fine impression.

PRIMITIVE PAPER.—Mr. Brunswick Telegraph speaks of two letters written by young ladies, residents of a distant State, upon birch bark the size of ordinary note paper, the bark being that procured from trees which grow about Lake Superior. The sheets were so thin that two of them came in an envelope, under single postage.

Some of the citizens of Lewiston are agitating for the establishment of a Municipal Court in that place.

WAR IN EUROPE.—The Washington correspondent of the New York Times says:

The administration is in the receipt of letters from a high official source in Europe, expressing trepidation that a general war is almost certain. Popular opinion in England is opposed to war, but if forced to take a part, she will break up the second alliance and unite with Russia.

We don't place much reliance upon the statements of the sensation letter writers at Washington, but we fear the probabilities of war are strong, whether the above is correct or not.

STOKES.—The latest accounts state that the President has sent in a veto of the Agricultural College Land Bill, on the ground of unconstitutionality.

This certifies that I have for several years used Davis' Pain Killer in my family, & several of those cases for which it is recommended, and find it a very useful family medicine.

Rev. ASA BRONSON

Augusta.

DEDICATED TO HER PARENTS.

A fair form an isle of the sunny seas,
Comes a wail of sorrow, borne
On the sighing breeze—with its willing breath
It then darkened a northern home.
They say that afar in that sunbright isle,
That breathes of orange bowers,
Dwelt our cherished friend—that she loved the home
Who had found mid southern flowers.
Of we missed her smile—her gentle tone
The at knees of we heard,
And it seemeth not that ne'er again
We shall list to some, idolon word.
Oh, can it be! Are the sad notes true,
That have come, like the sigh of even,
Has angel hands called our lovely one
From earth to a home in heaven?
Alas! too true, but why do we mourn,
That she's passed from earth away,
Sure we shall go to meet her where
Cleams the light of perfect day.
For an angel hand is beckoning us,
From the shining throng of heaven,
And meekthinks the path that our darling trod
Is paved with the stars of even.

Bangor, Feb. 20, 1859. VIRGINIA.

SPECIAL NOTICES.

Thursday Evening Assemblies.

The committee of the Thursday Dancing Soirees at Gerrish's Hall, Corner of Main and Exchange streets, will be in attendance on Thursday evening of this week, to receive the names of subscribers who will have their names for backs at the office of Bill Stevens, Lower Stable, Main St. feb28

Numbering Houses.

I am prepared to number the Houses on the Streets in the city, in a manner satisfactory to those citizens who may be pleased to employ me, at the following named prices: For putting on

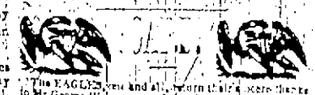
14 inch double silver plate, each figure.....50 cents.
14 inch Metal.....20 cents.
Brass.....10 cents.

The same size and quality as the above for sale at my shop, near the Custom House, at the following named prices: 14 inch 12 cents each; Black Wood cents each; white metal; 14 inch, 8 cents each; Brass, 14 inch, 6 cents.

Also DOOR PLATES, of all sizes, made to order—all of the best quality. F. W. COYE, Street Plater.
February 16

CARD.

The officers and members of HOSE LADDER COMPANY tender their sincere thanks to George B. Stevens and family, for the handsome and bountiful entertainment so generously extended to them after the fire yesterday morning. May it be long ere he treats our services, as on that occasion. A. T. BECKFORD, Clerk.
Feb. 28



CARD.

The EAGLE Steam and Hand Fire Engine Co. tender their sincere thanks to Mr. George W. Stevens and family, for the handsome and bountiful entertainment so generously extended to them after the fire yesterday morning. Also to Messrs. Richardson & Hopkins, of Gardiner Road, for their generous hospitality on the occasion. Also to Messrs. Stewart & Co. for their kindness in furnishing refreshments to the Engine, on the fire yesterday. Also to Mr. Howard, for his kindness in furnishing refreshments to the Engine, on the fire yesterday morning. Also to Mr. Bradley, for the ready manner in which he turned out with the Hose Carriage, and his kindness in assisting us after the fire. Also to the liberal supply of refreshments furnished us after the fire yesterday morning. By order of the Engineer.
Feb 28 CHAS. N. BAND, Clerk.

CARD.

The officers and members of ANCHOR Engine Co. No. 4, take this method of returning their sincere thanks to George W. Savage, Esq., and his family, for the liberal supply of refreshments furnished us after the fire yesterday morning.
Feb 28 JAMES S. OAGE, Clerk

CARD.

The officers and members of NIAGARA Engine Co. No. 6, take this method of returning their sincere thanks to the Proprietors of the Bangor House, for the handsome refreshments furnished us after the fire yesterday morning.
By order,
Feb 28 J. S. HOWARD, Clerk.

EXAMINATION of Public Schools.

Monday, 28th, Forenoon—Mr. Brotherly, Select School, Ann-st.
Afternoon—Mr. Littlefield, Select School, Abbott Square.
Tuesday morning, Wednesday, March 2d, at 9 o'clock, Forenoon—Mr. Edwards, High school for Girls, Abbott Square; and Mr. Deane's High School for Boys, Prospect-st.
1st Apprentices School, Bethel Hall, Prospect-street, Friday afternoon, March 4th.
Children from other schools, and other persons will not be allowed to attend the examinations to the exclusion of parents.
By order, Sup't School Com.,
S. F. MORRISON, Sec'y.

To the Citizens of Bangor.

CITY OF BANGOR, January 19, 1859.

MR. LEWIS, YATERMAN, in order to put the streets of our city upon a plan which will preserve the necessary of remembering, by the court of the ensuing year, the number to be called for, and the number to be appointed with reference to the probable new events as comes with reasonable duties, therefore ordered, that the Clerk be instructed to notify the persons who have been returned as jurors, which are satisfactory to the City Council, that it is hoped that no person will excuse themselves from attending for the purpose of the proposed improvement, the expense of ingrandi.

HOLLIS HOWMAN, Mayor
W. A. DUREE,
BENJ. HOWARD,
ISAIAH STETSON,
A. LIDDLETON,
A. G. WAKEFIELD,
CHARLES TRUE,
HENRY HILL,
Aldermen of Bangor.

NOTICE.

THE Annual Meeting of the Kenduskeag Log Driving Company will be held at the office of Stetson & Co., in Bangor, on MONDAY, the seventh day of March, next, at 10 o'clock A.M., for the choice of officers, and for any other business that may legally come before said meeting.

ISAIAH STETSON, Clerk
Bangor, Feb. 9, 1859. 2w*

NEW MAKE OF WATCH SPRINGS,

Less than former prices. At
LYON & LEWIS,
16 West Market Square

A FULL STOCK

OF BLEACHED AND BROWN SHEETINGS, Flannels, Crash, Diaper, Table Cloths, White Goods, and other HOUSEKEEPING articles. Also, Threads, Tapes, Needles, Pins, and other small wares. In great variety, at
16 WEST MARKET SQUARE
LYON & LEWIS.

KNITTING AND TIDY COTTONS, Assorted, Worsted and Woolen Yarns, all colors, LYON & LEWIS.
16 West Market Square

NEW PRINTS, NEW MOUSELAINES, other Dress Goods, for spring.
feb24 LYON & LEWIS.

LADIES, MISSES AND CHILDREN'S Hosiery and Gloves, in great variety.
LYON & LEWIS.

CLOTHS, CASSIMERES, TWEEDS, Cashmerettes, and other Goods suitable for boys, with Trimmings, cheap—at
feb28 LYON & LEWIS.

FOR SALE,

A MELODEON Piano style, five octaves, 2 sets of Reeds, suitable for a small church or private parlor. Price low. Enquire of
S. S. RICKER,
feb28 d3 w2w No. 1 Main st.

Now is the time to secure a Good House.

FOR SALE, one, or both the Brick Houses corner of Main and Union-sts; 2 Wooden Houses; 2 large Brick stores and one small one on Main-st; several Houses and Store lots. The above property is centrally and pleasantly located and will be offered low, for a short time. If not sold it will then be offered at auction. For particulars enquire of WILLIAM LEWIS, on the premises. feb[illegible]

White and Yellow Corn.

2100 BUSHELS WHITE CORN.
3300 bushels Yellow Corn—landing from schr Sylvia, at Frankfort, and for sale at No. 12 City Point, by
WILLIAM JEWELL.
Jan26

50 LBS. No. 1 NUTMEGS for sale by
B. F. BRADBURY.

50 DOZ. "COMPOSITION" for sale by
B. F. BRADBURY.

LARD.

5000 LBS. RENDERED TALLOW, for sale at Low's Market.
feb26

Wheeler & Wilson's Sewing Machine

FOR SALE, *by parts as good as at the former high prices*—for we have on hand a full supply of all the parts of the machine, and agents in all the principal cities of the Union are directed to refer all dissatisfied purchasers to us. It is hoped that the necessity of a change will avail themselves of this opportunity for getting the proposed improvement, the expense of which will be small.

WHEELER & WILSON M'F'G CO.
W. A. DUREE,
BENJ. HOWARD,
ISAIAH STETSON,
A. LIDDLETON,
A. G. WAKEFIELD,
CHARLES TRUE,
HENRY HILL,
Aldermen of Bangor.

BANGOR DAILY WHIG AND COURIER.

TELEGRAPHIC

TO THE DAILY WHIG AND COURIER

Later from California.

ARRIVAL OF THE

ILLINOIS,

AT NEW YORK.

NEW YORK, Feb. 27.

The steamship Illinois arrived at noon with California mails of 5th inst., and $1,208,000 in treasure.

The U. S. sloop-of-war Saratoga sailed from Panama on the 14th for Vera Cruz, and the Levant at the same time for Greytown.

The California news has been mainly anticipated.

Collector Sutter and of Sacramento, formerly of Philadelphia, died on the 5th inst.

A resolution was to be introduced into the Legislature, requesting Senator Gwin to resign on the ground that in his bill providing for the letting of ocean mail contracts he has violated the instructions of the Legislature passed last year.

Gen. Clarke has determined on a very serious campaign against the Modoc and Paducah Indians.

The Panama Star confirms the reported signing of the Dunlop, Bindlas and Nicaragua treaty, and says the Clay-Irisarri treaty has received action by the Nicaragua Congress, which ratified it save the former has clauses which are objectionable to the American government.

Valparaiso dates are of January 16.

A revolution was imminent.

The police at Copiapo had revolted and completely overthrown the government officers without bloodshed.

Troops had started for Copiapo and Coquimbo, and the latter place, as also Calderas, were to be put under a blockade till the difficulties are terminated.

The feeling at Valparaiso is decidedly in favor of the government.

The residence of the foreigners resident of Copiapo is a check on the malcontents.

The government is apprehensive of the Intendents of the opposition there have arms and ammunition.

The whole Republic except Valderia and Chiloe are now officially announced as under state of siege.

Corruption is to be blockaded as soon as possible.

The sloop-of-war Cyane was at Valparaiso, and would leave on the 20th for Panama, touching at Coquimbo.

The American ships or Elvira, from Carding for San Francisco had touched at Valparaiso and sailed.

The Province of Maule is reported to have pronounced into the government.

Sandwich Islands dates are of January 22d. Everything was quiet.

The French Minister had suspended diplomatic relations in consequence of the refusal of the Hawaiian ministry to give damages for the imprisonment and brutal treatment of a French subject.

The frigate Merrimac was at Realijo February 1st.

The sloop-of-war Decatur was at Ponesca January 31st.

Congressional.

WASHINGTON, 25th.

SENATE.—Mr Hunter called up the army appropriation bill.

Mr Sidell made a long personal explanation concerning yesterday's proceedings on the Cuba bill, announcing at the same time that he should not attempt further to delay the passage of the bill.

Mr Sidell proceeded to give his reasons for his course, the first of which is that he had been satisfied that the bill could not pass this session, owing to the determination evinced by the opposition to prevent its passage by a series of dilatory manœuvres, a determination, which under the very strict rules of the Senate was entirely in their power to carry out, and which under the circumstances, he should persist in pursuing, the bill to a vote if "would only result in the exercise of the appropriation of the Executive to create a necessity for an extra session of Congress here at the same period next year. He gave notice, however, that he should again present the bill on the first day of the next session, when it can be introduced under the rules.

The army appropriation bill was then taken up in Committee of the whole; the various items of which make the aggregate of $14,000,000.

After several hours debate the main appropriations were passed as above.

Mr Davis moved and carried by a vote of 28 against 18, additional clause appropriating $1,000,000 for fortifications. This, with the minor amendments sends the bill back to the House. The bill was finally passed—yeas 35, nays 16.

HOUSE.—The London accepted the report of the committee of conference on the disagreeing amendments to the Indian Appropriation bill.

The Senate has passed a bill to protect timber growing on lands set apart for military purposes. Passed.

Mr Cook, from the Special Committee of Investigation into the affairs of the late superintendent of public printing, made a special report, recommending that S. Duval, of Philadelphia, a witness before that committee, in the case of perjury, and asking by resolution, that he be committed to the U.S. Attorney for the District, for action in the premises. Resolution adopted.

The Post Office Appropriation bill was then taken up and passed, nearly as heretofore reported by a majority.

President transmitted a message, to which his objections, the bill granting to the several States, providing for colleges for the benefit of agriculture, and the promotion of mechanic arts. He says that according to the report of the interior department, over 6,000,000 acres will be required, and the minimum price for the same will be $7,675,000. This bill was passed at a time of great financial embarrassment, and if it become a law, the treasury will be deprived of nearly all its income, which for next year is estimated at $5,000,000 from that source. Should the 23 States enter the market with their land scrip, the value will necessarily diminish, and considerably more land warrants in the market, the treasury would be deprived of so much money. Should the time ever arrive when State Governments seek look to the Federal Government to immediately their systems of internal policy, this clear otter of both will be greatly the reverse of bad. Hence, the two should be kept entirely distinct.

Mr Merrill of Vt., said that the President had a right to express his opinion as to whether the bill was constitutional or not, and the Congress have the same privilege. The bill was not introduced as a party measure, and had received the sanction of men on both sides of the House. It was a measure near the heart of Washington, and yet the President has sent a message here to-day to strike down the bill, perhaps the only one proposed for the especial benefit of agriculture. The President has committed, if not a crime, at least a blunder. Mr. Morrill then briefly replied to some of the President's objections. The question was then taken on the passage of the bill, notwithstanding the President's veto to the contrary. The result was yeas 102, nays 26. This not being a two-thirds majority as required by the Constitution, the Speaker declared the bill rejected.

The House then went into committee of the whole on the Naval Appropriation bill.

During a discussion relative to navy yards, Mr. Clark H. Chehran said that the navy yard in Brooklyn was a political machine, and that if the democratic party required such places, they should support them at their own, and not at public expense.

Mr. Stokes of N. Y., said the patronage of the navy yards was distributed under opposition, as well as under democratic administrations, and that the practice of rotating subordinates was initiated under President Taylor.

Mr. Clark of N. J., regarded the navy yards as schools of pestilence and bribery, where large bands of mercenaries to destroy the political liberties of the people. The bill was then laid aside, and the Senate's amendment to the Consular and Diplomatic appropriation bill, to the Legislative and Judicial appropriation bill; and to the Invalid Pension bill, were severally acted on.

The Committee then rose, and the House concurred in the committee's action on all the Senate's amendments.

There was no further action on the Naval appropriation bill. Adjourned.

WASHINGTON, 27th.

The community is thrown into an immense excitement to-day by the killing of Philip Barton Key by United States District Attorney for the District of Columbia by Daniel E. Sickles. According to report Mr Sickles, becoming convinced of the truth of certain scandalous rumors involving the character of his wife, proceeded to address him words. At about two o'clock this afternoon proceeding from his residence near the President's house to the southeast corner of Lafayette Square in the same neighborhood, where Mr Key was engaged in conversation with Mr Butterworth of New York, he charged Mr Key with having dishonored him, and shot him three times with a revolver. Death ensued in a few moments. Mr Sickles then delivered himself into the hands of the officers who subsequently conveyed him to jail to await examination.

The President has issued a proclamation declaring that an extraordinary occasion requires the Senate to convene and act upon such communications as have been or may be made to it on the part of the executive. It is called for the 4th of March at noon, by which all who shall then be entitled to sat as members of that body are acquired to take notice.

The Committee of Ways and Means have at last adopted a resolution on the tariff. The chairman is instructed at the first possible moment to ask a suspension of the rules and report first, Mr Phelps' tariff bill, and second as an amendment, Mr Morrill's bill, and that any member of the Committee can offer another tariff project as an amendment if he pleases. The vote on the was, ayes 7, nays 6. Mr Phelps, chairman did not vote there not being a tie. He has offer any tariff he pleases, and may therefore report their his own project or the tariff of 1846.

The post office appropriation bill which passed the House to-day contained no appropriations for Butterfield's overland mail route to California.

NEW YORK, 27th.

The bark Antagonis has arrived from Buenos Ayres Jan. 4th.

Commissioners Howlin and Com. Shubrick had gone up the river to hold an interview with Lopez, taking the brig Dolphin and Perry, which would be taken in tow at the forks of the river by the steamers Fulton and Water Witch. The rest of the fleet was at Montevideo.

A Paraguan steamer had gone up with a cabin, to be placed across the river to prevent vessels from passing. A French and English armed vessel had gone up, and it was supposed the latter would make a demand on Lopez for indemnity, in the case of a British schooner is ably seized.

It was generally thought that four fleet is entirely inadequate, and that when an engagement takes place they would be beaten. It is said that Lopez has 100,000 men under arms, and well disciplined.

NEW ORLEANS, 27th.

The Steamship Tennessee has arrived from Vera Cruz the 22d inst.

Miramon was still at Orizaba with 4,000 men, and was collecting forced loans everywhere.

The Progress of the 18th states that the French and English commanders notified the Capt. of the American sloop-of-war Saratoga that they should board the Tennessee to search for filibusters were on board. The Capt. of th Saratoga intimated that they could not do so while his ship was near enough to protect it.

The foreign ministers at the Capito had not recognised Miramon as President.

The English and French squadrons were in a hostile attitude before Vera Cruz. They will attack the city from the sea, while Miramon does the same from the land side.

The English and French merchants of Vera Cruz, have remonstrated the protection of their own flag, and placed themselves under the American flag.

ST. LOUIS, 26th.

Hon. E. A. Hannigan, formerly U. S. Senator from Indiana, died at the Planters House last night.

Steamer Comet, running from Memphis to Arkansas, was wrecked and a storm on Saturday night, and together with her cargo will prove a total loss. Many lives were also lost, including the clerk of the boat, a passenger named Job Hall, three cabin passengers, names unknown, and four deck hands. The boat was owned in Memphis.

ALBANY, 26th.

The special Legislature committee, to-day, reported a personal liberty bill, nullifying the fugitive slave law, and providing that no person in the State shall be considered as property, or subject to sale, or deprived of liberty without due process of common law and trial. The penalties for infringing the law are a fine of $1000 to $5000 and twenty years imprisonment. It declare that every slave coming into the State by consent of the owner, shall be free.

HAVANA, 22d.

There is little doing in the sugar market, buyers refusing to accede to the demands of holders, who continue to ask prices on the basis of 10 reals for No. 12.

Molasses is in good demand—Clayed 4 reals; Muscovado 5 reals.

Freight are more active for Europe, without material improvement in rates.

Exchange on London 10¼ premium; on New York 10¾ discount.

ST. LOUIS, 26th.

The Overland Mail, with San Francisco dates of the 4th inst, has arrived here.

No passengers came with the mail, and the papers are destitute of news of general interest.

PORTLAND, 4th.

Steamship Indian sailed this P.M. for Liverpool.

NEW BEDFORD, 27th, 7 P.M.

The weather has been fine and operations towards saving the Palomah were commenced. Seven chains were placed under her, and she was again raised to the same position as before the gale.

New York Markets.

NEW YORK, Feb. 26.

Flour—receipts 1495 bbls, sales 14,000 bbls. State and Western firm—unsound $4.00 a 4.75; superfine State 5.30 a 5.40; extra State 5.00 a 6.15; round hoop Ohio 5.50 a 6.50; common good extra Western 6.15 a 6.35. Southern buoyan sales 4600 barrels—mils of to good 5.00 a 6.45; fancy and extra 6.60 a 8.00. Canada—Superfine, nominal; extra 6.75 a 7.80.

Wheat firm and active—sales 60,000 bushels—Mill Cluth 1.20; western red winter 1.40; white Mich 1.50; white Kentucky 1.75; mixed Ill. 1.40.

Corn quiet—sales 12,800 bush—mixed Western 54@58 cts; new yellow Jersey and Southern 54 a 55.

Oats dull—Southern and Jersey 50 a 56; Northern and Western 54 a 63.

Beef firmer—sales 1200 bbls—Country mess 7.75 a 9.00; prime, 5.00 a 7.00; repacked Chicago 9.00 a 11.00.

Pork dull—sales 170 barrels—Mess 8.00 a 13,12 for new, 17.62 a 17.75 for old; prime 13,25 a 13.50.

Sugar quiet—sales 350 boxes—New Orleans 7 a 7¼; Muscovado 7¼ a 7.

Coffee firm—sales 43s bags—Java 15; Rio 11¾.

Molasses firm—sales 260 hhds—New Orleans 38 a 40.

LEGISLATURE OF MAINE.

FRIDAY, Feb 25

In the *Senate*.

Mr Davis, from the Committee on Incorporation of Towns, reported a bill to incorporate the town of Presque Isle, (Aroostook County.) Read and assigned.

Mr Marshal, from the Committee on Banks and Banking, reported a bill to incorporate the Wawenock Bank, Wiscasset,—with a capital of $50,000. Read and assigned.

Passed to be engrossed—Bill to authorize the collector of Dexter, to collect taxes of school district No. 9.—bill to assess a State tax for 1859.

The resolve granting aid to the Maine Wesleyan Seminary, was taken up. The question was on the acceptance of the Committee on the Whole, the resolve ought not to pass.

Mr Carleton addressed the Senate at considerable length, in stating the claim of the institution for state aid, and in support of the grounds upon which he supported this resolve.

Mr Barron opposed the resolve and stated at length his objections to the appropriation.

The resolve assigned for Tuesday next.

In the *House*.

Read and assigned—An act to authorize the extension of wharves into tide waters at Brewer.

Papers presented and referred—Petition of N. A. Joy and 17 others, praying for an act authorizing the sale of Old Baptist Meeting House and lot in Ellsworth; remonstrance of Samuel Rogers and 38 others, against the petition of George W Ray and others, for a law to prevent the use of bag-nets in the Penobscot river; of Elijah H. Atwood and 88 others against same.

Reports of Committees accepted:

On Judiciary, by Mr Butler, an act to amend chapter 79 of the Revised Statutes relating to the admission to practice of attorneys at law.

On same, by Mr McCrillis legislation in expedient on order relating to change of names by Judicial process; order of notice on petition of Daniel Holland for a Municipal Court at Lewiston.

On Manufactures, by Mr Rice, legislation inexpedient on order relating to amendment of law relating to lime casks.

On State Lands and Roads, by Mr Prentiss resolve in favor of Absalil Van Meter.

Order accepted—By Mr Wilson of Brewer, that the Committee on Indian Affairs be requested to inquire into the expediency of paying the Indian Agent of the Penobscot tribe a salary instead of a *per diem* and commissions as at present.

The resolve in favor of Westbrook Seminary came up by assignment.

Resolve passed to be engrossed, yeas 18, nays 20.

CONGRESS.—The following is the conclusion of the Senate debate of Tuesday, not received by telegraph:

Mr. Seward, of New York, said that after nine hours of discuss on on the Cuba bill it was time to come back to the great question of the age. The propositions now stand face to face—one is the question of land for the landless, and the other is the question of a land for a slave.

Mr. Slidell here rose.

The Vice President—Will the Senator from N. Y. yield the floor to the Senator from Louisiana?

Mr. Seward—No, Sir! I do not.

Mr. Slidell called Mr. Seward to order. He was discussing the comparative merits of the two bills.

The Vice President decided that Mr. Suward was in order.

Mr. Seward went on saying it is in the 35th Congress that the Homestead bill has been put aside. He then compared the merits of the two bills.

Mr. Toombs—As to the land for the landless, it carried with it some demagogueish power. He despised as demagogue, but despises still more those who are driven by demagogues. What are the other sirs afraid of? If they do not want to give $30,000,000 to carry out a great national policy, let them say so, and not attempt to get rid of the issue by saying "We want to give land to the landless."

Mr. Wade said the question was land to the landless, or niggers to niggerless. He would antagonize these issues, and carry the appeal to the country. The whole object of the democratic party was to go round the world hunting for niggers. They could no more run that party without niggers, than they could a steam engine without fuel.

Mr. Pessenden took Mr. Toombs to task, and asked if the language he had used was not an intimation of the man at the other end of the avenue, the President, who recently addressed an outdoor crowd, saying none but cowards shrunk from this Cuban bill. He told the Senator that the Republicans did not tremble nor shrink. He referred to the trial of physical encounter at the last session, and hinted that they could endure as much again. He denied that the Republicans were obstructing legitimate business, but said they were opposed to this Cuban measure of which nothing was intended but a party result.

Mr. Seward was not in the habit of impugning the courage of any man. He believed every Senator had sufficient. He himself had enough for his own purposes; but other qualities are also necessary. There is moral courage. There is faithfulness to pledges. The President had power to carry out his pledges, and has he done so? Where is the Pacific Railroad? Where is the protection? Where the relief to the bankrupt? Lost, sunk, sacrificed in his attempt to fasten slavery on the Spanish American States. No part of the President's policy has been carried out; but it is all sacrificed to a false and pretended issue of which nothing is expected to come. He (Seward) had never mistaken the President's policy. He never mistook him for a giant in arms, but for a windmill with sails.

Mr. Seward concluded by an energetic declaration that, as he always to be found on the side of liberty, everywhere and always.

The motion to take up the Homestead bill was lost.

Mr. Brown spoke on the Cuba bill in favor of acquisition. He moved to lay the bill on the table as a test vote. The test vote was taken and the motion lost—yeas 16, nays 36.

Adjourned at half past 6 o'clock.

The Citizens' Cornet Band

Respectfully announce to the public that they have been preparing themselves, during the past year, to meet them on occasions where the services of a MILITARY BAND are needed.

THIS IS THE ORIGINAL CORNET BAND, ORGANIZED APRIL 18th, 1858.

We hope, by our best attention to our studies, to prove to the public a permanent organization.

H. H. BUNKER, J. BITTER,
H. P. CHANDLER, A. W. ROBINSON,
D. M. BICKMORE, L. P. CHAPP,
A. W. WHITE, D. G. WING,
L. WHITE, E. CHATMAN,
Z. L. BRADDON, A. C. FELLOWS,
H. B. STREETER, Leader and Musical Director.
dec28—3m J. B. MCGUIRE 2d Leader.

Devines' Compound Pitch Lozenges,

A Sure and Pleasant Remedy for *Coughs, Colds, Croup, Whooping Cough, Bronchitis, Asthma,*

And all lungs enough are left to sustain life, a *certain cure for*

CONSUMPTION!

Warranted to relieve all LUNG COMPLAINTS.

The remedy is pronounced by Clergymen, Orators, and Vocalists, to be the best in use for clearing the voice and relieving the irritation of the throat, so troublesome to public speakers.

For sale by all Druggists and Dealers in Medicine. F. HOLMAN, No. 4 Washington st, Agent for Mass. S. D. FULLER, Proprietor, Boston, jan12 dawsm

To Lumbermen!

The subscribers wish to call your attention to their LIVING TOOLS. A Saw and Superior style CANT DOG may be seen by calling on Bragg & Binford, No. 2 Broad st, Bangor.

D. SPRAGUE & CO.

Oldtown, Feb. 17 sn6w

Dr. R. Richard Clay,

THE GREAT CURER OF DISEASES OF THE THROAT AND LUNGS, and Diseases peculiar to Females, can be consulted, personally or by letter, at Cincinnati, Ohio. Ladies consulting a stamp, to prepay postage, answered free of charge.

Dr. Clay's Celebrated Remedies sent to all parts of the world.

dec8 dawly

Five Dollars Reward

Will be paid for evidence which shall secure the conviction of any person guilty of stealing the *Whig and Courier* from the door of any subscriber.

WHEELER & LYNDE.

Eastern Express Company.

On and after MONDAY, Jan 3, the Office of the Eastern Express Company will be closed at 8 o'clock P. M.

P. H. HODGMAN,
jan1 1859 Agent.

NEW [illegible]

Small Profits and Quick Sales!

—AT—

NO. 40 MAIN STREET.

We are opening a select and desirable assortment of *Fancy and Staple* DRY GOODS, to which we invite your special attention:

Rich Dress Silks,
Gentlemen's Cloths,
Housekeeping Goods,
Prints and DeLaines.

Our prices will be uniformly LOW. Customers, old and new, will find us ready to attend to their wants.

Thompson & Hichborn

Feb'y 11

$[illegible]---Sale.

Crown Indestructible Paragon Springs,

With a Pattie that will not break down, at

Thompson & Hichborn's,
No. 40 Main Street.

feb11

CARPETING,

RECEIVED.

We can sell BRUSSELLS as low as 75 cents; ALL WOOL 50 cents. Other kinds in same proportion.

Thompson & Ichborn.

Feb 11

To Remove

GREASE and Stains from Silks, Ribbons, Coral Kid Gloves, without injuring the colors, BENZINE is warranted.

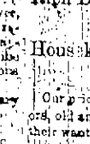
N. S. HARLOW,
feb11 4 Smith's Block.

Perfumes

A GREAT VARIETY of Lubin's, Piesse & Lubin's, and other Extracts; on the hand and for sale by

N. S. HARLOW,
feb10 4 Smith's Block.

Spring Style - - - 1859.



Beebe & Co.

Improved Ventilated Self-Adjusting HAT.

Ex-Ex, (O)..... 5.....4.00.

The genuine "Beebe" Hat, manufactured by Beebe & Co., New York City, can only be found at the

EMPORIUM—No. 20 Main St.

dh11 THO'S HERSEY.

House for Sale

AND

FARM WANTED.

FOR SALE, a centrally located House and Lot, in the city, worth about Two Thousand Dollars. Wanted, in part pay, a small Farm, a few miles from the city—balance as parties agree.

FOR RENT—Several Houses, Tenements and shops. Apply at No. 12 Central Street.

H. S. PERCIVAL.

Bangor, Feb. 22, 1859 3w

MARCH.—Godey's Lady's Book, rec'd by
feb22 B. F. DURRIE.

XIX

WEST MARKET SQUARE.

Spring Style Dress

Beebe & Co's

Improved Ventilated Self-Adjusting HAT, manufactured by *Beebe & Co.*, New York City.

ALSO....

Boston Styles,

BY GEORGE C. GOOD.

Every Variety of Ladies' and Misses BOOTS made to order, and BOOTS and SHOES of our own *manufacture*.

Constantly on Hand.

All work *Warranted* in every respect.

MILLETT & BANGS.

Feb'y 22

Clear Pork, Hams, Lard, &c.

75 Bbls. Clear and Ext. Clear Bangor PORK.
50 Bbls. Mess and No. 1 Bangor BEEF.
5000 lbs. COLBY HAMS.
5000 lbs. Bangor LARD.
16 bbls. ROUSED TRIPE, (extra) at

feb22 Low's Market.

To the Public.

The subscriber, thankful for past favors, would most respectfully announce that he has "stuff in pure," and may be found at the old stand on Kenduskeag Bridge, ready to give every one his MEAT in due season, and solicits a continuance of patronage from old friends, and new.

Give me a call—at the old stand, West End Kenduskeag Bridge—and judge by yourselves.

H. A. LAUGHTON.

Bangor, Feb. 26, 1859 1m

Lost.

A BUNDLE, somewhere between Isaac Danforth's, Somerset street, and A. S. Wood's, Essex street, containing a pattern of a Gentleman's slipper, a small Account Book, and several small articles. The finder will be rewarded by leaving it at this office, or at E. F. D URRIE, Hammond street.

Bangor, Feb'y 24th, 1859.

MATTHEW CARABY—Scene 1st in this country. For sale by E. F. DURRIE.

jan14

ARAGO'S BIOGRAPHIES—A new work rec'd and for sale by E. F. DURRIE.

Jan22

MEMOIR of John H. W. Hawkins, by his son. This work will be read with interest by all who know or were interested in the old leader of the temperance cause. For sale by

feb10 E. F. D URRIE.

ARCH.—Godey's and Peterson's Ladies' Magazines of Fashion, rec'd by

feb2 O. P. PATCH.

SOLID OYSTERS

STILL THEY COME!

Received THIS MORNING, another Lot of Virginia Solids, and arriving daily, at Low's Market.

Feb'y 22

JUST IN

FROM THE

RURAL DISTRICTS,

A Rich Lot of

MOOSE,

And cutting up all the time, at

Low's Market.

Feb'y 22

NEW ORLEANS SUGAR, of the finest quality, Porto Rico Molasses, ditto—for sale by

THOMAS J. STEWART.

feb19

For Sale or Rent.

The Brick Tenement No. 100 Court Street, occupied by the subscriber, (will be sold on reasonable terms, or rented to a good tenant) if desired.

feb22 3w HENRY MILL.

WANTED.

A Stock of Millinery & Dry Goods, or a quantity of Lumber suitable for building purposes, in exchange for a Cottage House, nearly new, situated in Bangor. Enquire of

H. M. PLUMMER,
Office—East Side of West Market Square.
aug9 tf

Houses to Let.

Two small and convenient dwelling houses, near the foot of Essex st., will be let on reasonable terms. They are in good repair, and in neat order. Possession given immediately. Apply to Mrs. A. E. DELONG, on the premises.

jan4 tf

7000 Calf Skins Wanted,

and the HIGHEST PRICES PAID, at Low's Market.

feb17

HAS REMOVED!

TO THE ROOMS OCCUPIED BY THE

Penobscot Mutual Fire Insurance Company,

On Hammond Street and West Market Square,

WHERE HE WILL CONTINUE TO EFFECT

Insurance on Life or Property,

At Favorable Rates.

BENJ. PLUMMER, Agent.

Feb'y 22 Penobscot Mutual Fire Insurance Company.

THE PENOBSCOT MUTUAL FIRE INSURANCE COMP'Y, HAVE REMOVED THEIR OFFICE To the Rooms formerly occupied by the Eastern Bank, Over the Store of DANIEL P. WOOD, On Hammond St. and West Market Sqr. BENJ. PLUMMER, Secy.

Keys Lost,

ON Wednesday, near Exchange block. The finder, by leaving them at this office, will receive a proper reward.

feb26 3t*

Genuine Kerosene Oil,

OF superior quality for sale at wholesale and retail, by

R. D GODFREY,
feb26 1w Iron Co. Main Street.

ATLANTIC MONTHLY for March, rec'd by D. BUGBEE & CO.

feb22

NEW HISTORY

OF THE

CONQUEST OF MEXICO!

—BY—

Robert Anderson Wilson,

Received by D. BUGBEE & CO

feb 24

Elements of Map-Drawing.

WITH PLANS FOR SKETCHING MAPS by Triangulation and improved method of Projection; for Schools and Academies, by CORNELIUS S. CARTER; received by

D. BUGBEE & CO.

feb 24

ATLANTIC MONTHLY, for March, rec'd by E. F. DURRIE.

feb22

ATLANTIC MONTHLY, for March, rec'd by O. D. PATCH.

feb22

FRESH COD FISH.

A PRIME LOT of Fresh Cod received *This Morning*, and coming in daily, at Low's Market.

feb26

Dissolution of Copartnership.

THE Copartnership heretofore existing under the name and style of Laughton & Boyd, is this day dissolved by mutual consent. The business of the firm will be settled by either of the former partners.

Bangor, Feb 26, 1859 3t W. L. BOYD.

Genuine Kerosene Oil.

We have just received a large supply of the genuine article, which we will sell at the lowest market price.

Feb 26 1859 3t* BARTLETT & BRADLEY.

###

Continued from 1st page.

seat between Crosby's and mine. Was at school the day of the sickness of Lowell. I asked Lowell for his knife. He said he didn't say, but Samuel mo his name, and made a motion [illegible] to Crosby, like cutting off hair. I went up to Prospect street when I came out. Crosby had in very quiet days after school; had seen the boys [illegible] he would try to get away"—they would follow him up. No one interfered to take his part.

Cross examined.—Have heard boys call him names, but this hair. Never saw them try to shear his hair before. Have known Lowell about a long.

Gen. S. Howard.—Was a scholar of the High School at the time of the occurrence. I saw nothing of it. Some of the boys told me to stop, for they were going to cut off Crosby's hair. I left Crosby at the school house; he remained behind; the other boys were out of doors waiting for him. Don't remember about seeing Dagbert. Saw Geo. Wm. White; think it was he or some who asked me to stop; have been to school with Crosby; have known him three years; have observed that Crosby was very quiet—more so than any one in school—he was a very peaceable boy.

Cross examined.—Think Crosby did not take active part with the other boys in their play—was remarked upon in school. Never saw any exhibition of temper in him. Don't know that he had a strong will or opinion of his own. There was no separation between the two school yards; the boys used to pass out and in either.

Wm. H. Welsh.—Resides in Bradford. I was standing at the corner of Dodge's Block, or Franklin street, about 12 o'clock in October; heard a number of boys saying, "Now you go take him, Charley." Looked around towards Harlow street; saw two boys, and a few more from the other; one walking, and the other, I think it was the Lowell boy came up to the Crosby boy near the [illegible] and took hold of Crosby and swung him half way around; Crosby looked away from Lowell took him then by the shoulders and pulled across the street to the fence; Lowell's right hand was on Crosby's left shoulder, and Lowell had Crosby hold of his left wrist; they got across the street; Crosby fell, and Lowell fell on Crosby's left shoulder, and Lowell had Crosby held